

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SUNDREHAGEN et al.

Group Art Unit: 1743

Serial No.: 09/679,043

Examiner: Not assigned

Filed: October 4, 2000

For: COBALAMIN ASSAY

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TC 1700

COMPLETION OF CLAIM FOR PRIORITY

Assistant Commissioner for Patents  
Washington, D.C. 20231

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APR 03 2001

Sir:

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Applicants hereby submit the official certified copy of priority document number GB 9820473.8, filed September 18, 1998, in connection with the above identified application, benefit of which is claimed in the substitute declaration concurrently filed herewith for this application. The Examiner is most respectfully requested to acknowledge receipt of this certified copy in the next Official Action.

Respectfully submitted,

BACON & THOMAS, PLLC

By: Richard E. Fichter  
Richard E. Fichter  
Registration No. 26,382

625 Slaters Lane, 4<sup>th</sup> Fl.  
Alexandria, Virginia 22314  
Phone: (703) 683-0500  
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REF:kdd  
Completion of Claim for Priority.wpd

March 28, 2001



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SUNDREHAGEN et al.

Group Art Unit: 1743

Serial No.: 09/679,043

Examiner: Not assigned

Filed: October 4, 2000

For: COBALAMIN ASSAY

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants note that the Official Filing Receipt, copy enclosed, in the above-identified application contains the following error.

Specifically, the filing date of the priority application should be **September 18, 1998**.

Attached is a copy of the Declaration concurrently filed herewith to correct the priority filing date with the information highlighted.

Accordingly, it is respectfully requested that the USPTO database for this application be corrected and a CORRECTED Filing Receipt be issued for this application and forwarded to the undersigned as soon as possible.

Respectfully submitted,  
BACON & THOMAS, PLLC

By: Richard E. Fichter  
Richard E. Fichter  
Registration No. 26,382

625 Slaters Lane, 4<sup>th</sup> Fl.  
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REF:kdd  
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March 28, 2001

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www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO     | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|---------------------|----------|------------|------------|
| 09/679,043         | 10/04/2000  | 1743         | 966           | REF/Sundrehagen/127 | 2        | 27         | 1          |

Bacon & Thomas PLLC  
625 Slaters Lane 4th Floor  
Alexandria, VA 22314-1176

FILING RECEIPT



\*OC000000005700668\*

Date Mailed: 01/24/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Erling Sundrehagen, Oslo, NORWAY;  
Lars Orning, Oslo, NORWAY;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CON OF PCT/GB99/03127 09/20/1999

Foreign Applications

UNITED KINGDOM 9820473.8 09/20/1998

9/18/1998

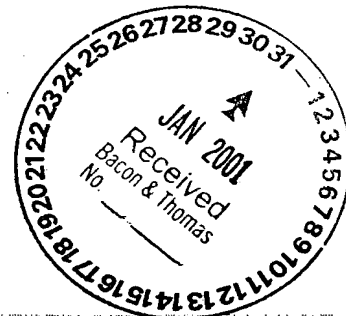
If Required, Foreign Filing License Granted 11/27/2000

Title

Cobalamin assay

Preliminary Class

436



Data entry by : ARMSTEAD, LORRAINE

Team : OIPE

Date: 01/24/2001



# DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

Application Docket No: REF/SUNDREHAGEN/127

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CORALAMIN ASSAY**

the specification of which (check one)  
( ) is attached hereto, or (x) was filed on: 4 October 2000 as U.S. Application Serial No.: 09/679,043 (as a continuation of PCT International Application No.: PCT/GB99/03127 filed on 20 September 1999)

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code, §119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIOR FOREIGN APPLICATION(S) |         |                      | PRIORITY CLAIMED |    |
|------------------------------|---------|----------------------|------------------|----|
| Number                       | Country | Day/Month/Year Filed | Yes              | No |
| 9820473.8                    | GB      | 18 September 1998    | X                |    |
|                              |         |                      |                  |    |

I hereby claim the benefit under *Title 35, United States Code, §119(e)* of any U.S. provisional applications listed below:

| Application Number | Day/Month/Year filed |
|--------------------|----------------------|
|                    |                      |
|                    |                      |

I hereby claim the benefit under *Title 35, United States Code, §120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, §112*, I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56* which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Application Number | Filing date       | Status - Patented, Pending or Abandoned |
|--------------------|-------------------|---|
| PCT/GB99/03127     | 20 September 1999 | Pending                                 |
|                    |                   |   |


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I(We) hereby appoint as my(our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith: J. Ernest Kenney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard E. Fichter, Reg. No. 26,382; Charles R. Wolfe, Jr., Reg. No. 28,680; Thomas J. Moore, Reg. No. 28,974; Bruce H. Troxell, Reg. No. 26,592; Joseph DeBenedictis, Reg. No. 28,502; Benjamin E. Urcia, Reg. No. 33,805; and

I(we) authorize my(our) attorneys to accept and follow instructions from Frank B. Dehn & Co. regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I(we) or my(our) assigns withdraw this authorization in writing.

Send correspondence to: **BACON & THOMAS**  
625 Slaters Lane - 4th Floor  
Alexandria, VA 22314

Telephone calls to: **Richard E. Fichter**  
(703) 683-0500

|  |   |
|--|---|
| Full Name of First or Sole Inventor<br><b>Erling SUNDREHAGEN</b>                     | Citizenship<br><b>Norwegian</b>   |
| Residence Address<br><b>Axis Biochemicals ASA<br/>Ulvenveien 78, N-0510 Oslo, NO</b> | Post Office Address (x) Same as Residence   |
| DATE<br><b>Feb 26, 2001</b>  | SIGNATURE<br> |

(X) See following page(s) for additional joint inventors.

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